

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL, INC., COMEDY)
PARTNERS, COUNTRY MUSIC.)
TELEVISION, INC., PARAMOUNT)
PICTURES CORPORATION, and BLACK)
ENTERTAINMENT TELEVISION, LLC,)

Plaintiffs,)

vs.)

NO. 07-CV-2103

YOUTUBE, INC., YOUTUBE, LLC,)
and GOOGLE, INC.,)

Defendants.)

THE FOOTBALL ASSOCIATION PREMIER)
LEAGUE LIMITED, BOURNE CO., et al.,)
on behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

vs.)

NO. 07-CV-3582

YOUTUBE, INC., YOUTUBE, LLC, and)
GOOGLE, INC.,)

Defendants.)

VIDEOTAPED DEPOSITION OF VANCE IKEZOYE
PALO ALTO, CALIFORNIA
THURSDAY, SEPTEMBER 10, 2009

JOB NO. 17619

Figueira Decl. Tab

52

1 IKEZOYE, V. 52-0002

2 that has anything close to our customer base.

3 Q And has that -- has that always been your
4 belief? In other words, does that extend back to
5 2006, or was there a time when there was a competitor
6 who had a larger customer base in the 2.0 space than
7 Audible Magic had?

8 A I believe from the very beginning we were --
9 we were the leader in the space.

10 Q We'll obviously be talking more about this as
11 the day goes on, but can you describe, in a very
12 general sense, what it is Audible Magic does for its
13 digital media customers when you've said "identify
14 copyrighted content"?

15 A We use a technology called fingerprinting,
16 and what fingerprinting is, is a mechanism to uniquely
17 identify a piece of copyrighted content.

18 There are -- these fingerprints are
19 measurements of the content that become unique to a
20 sound recording or to a soundtrack or to a -- an
21 image, and so we work with copyright holders to
22 register their works so we know what known content is.
23 We take these measurements, and then we put these
24 measurements into a database.

25 Then with our customers, the UGC sites, we

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2 give them software to take measurements of unknown
3 content, and when -- after they take these
4 measurements, then we can compare it to our database
5 of known references and identify and match the
6 content.

7 The way we provide services to the Web 2.0
8 customers is, they do have software. Users may upload
9 content to these sites, and they use our services
10 to -- to identify the -- the -- the copyrighted
11 content using our services.

12 Q In your answer you spoke of Audible Magic and
13 the customer taking measurements of pieces of content.
14 Is that the fingerprint that you mentioned first, or
15 is the measurement something other than the
16 fingerprint?

17 I'm just trying to make sure we have the same
18 terminology.

19 A It's the fingerprint. The fingerprint is a
20 series of measurements of characteristics of a piece
21 of audio or video.

22 Q Okay. And are you familiar with the fact
23 that there are fingerprints referred to as "audio
24 fingerprints" and others referred to as "video
25 fingerprints"?